

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

February 3, 2004 LB 227

item, Mr. Clerk.

CLERK: Mr. President, the next bill, LB 327...or LB 227, excuse me, a bill by Senator...well, it is on Select File, Mr. President. First amendment I have to the bill, Senator Quandahl, AM2236. (Legislative Journal page 357.)

PRESIDENT HEINEMAN: Chair would recognize Senator Quandahl, on his amendment.

SENATOR QUANDAH: Thank you, Mr. Lieutenant Governor. Members of the body, if you'll recall, LB 227 is Senator Aguilar's bill. It's the one that would, in essence, prohibit those under the age of 18 from riding around in the back of a pickup or other truck. And so, while I would, I guess, laud the ideas, the well intentions behind such a bill, in reviewing the bill a little bit closer I don't think that it would actually come to that conclusion or actually make things safer. And just as an example, if you would recall, there is an exception on page 5, under (a) for employees under the age of 18, including agricultural workers. And if you would look at that exception, that exception is basically...is without exception. As long as your an employee, including an agricultural worker, you're allowed to ride around unrestrained in the back of these vehicles. And the more I thought about it, the more I thought that that wasn't quite right; is that if what we were trying to do is actually protect young people's lives, that we should probably come at it from a different angle, and the different angle that I came from is shown in AM2236, which puts a specific speed limit. It's an exception: This section does not apply if that vehicle is traveling at less than 25 miles an hour. If you look at the exception in current Section (a), there is no speed limit. And so those workers under the age of 18 could possibly be riding around in the back of the truck that's going in excess of 25 miles an hour. They could be going 50 miles an hour. And so if actually what we want to do is to protect our young people, I think it would make more sense to have an exception based on a reasonable speed limit. Now, 25 miles an hour, I feel, is a reasonable speed limit to put on an exception such as this sort, because that's the speed limit in our residential neighborhoods. That's where, I tell you, my kids and other kids